

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

Emergent Fidelity Technologies Ltd.,<sup>1</sup>

Debtor.

Chapter 11

Case No. 23-10149 (JTD)

Ref. No. 64

**FTX DEBTORS' OBJECTION TO BLOCKFI'S MOTION TO  
SHORTEN WITH RESPECT TO MOTION TO STRIKE**

FTX Trading Ltd. and its affiliated debtors and debtors-in-possession (collectively, the “FTX Debtors”)<sup>2</sup> hereby submit this objection (the “Objection”) to *BlockFi's Motion to Shorten with Respect to Motion to Strike* [D.I. 64] (the “Motion to Shorten”), which seeks to shorten the notice period related to *BlockFi's Motion to Strike (I) FTX Debtors' Opposition to BlockFi's Motion to Dismiss and (II) Joinder of the Official Committee of Unsecured Creditors of the FTX Debtors to the FTX Debtors' Opposition to BlockFi's Motion for Entry of an Order Dismissing the Debtor's Chapter 11 Case* [D.I. 63] (the “Motion to Strike”) filed by BlockFi Inc. (“BlockFi Inc.”), BlockFi Lending LLC (“BlockFi Lending”), and BlockFi International Ltd. (“BlockFi International,” together with BlockFi Inc. and BlockFi Lending, “BlockFi”). In support of the Objection, the FTX Debtors respectfully represent as follows:

---

<sup>1</sup> The Debtor in this chapter 11 case is Emergent Fidelity Technologies Ltd. (“Emergent” or the “Emergent Debtor”), a company formed under the laws of Antigua and Barbuda with registration number 17532 as identified by the Antigua and Barbuda Financial Services Regulatory Commission. The Debtor's principal place of business is Unit 3B, Bryson's Commercial Complex, Friars Hill Road, St. John's, Antigua and Barbuda.

<sup>2</sup> The last four digits of FTX Trading Ltd.'s and Alameda Research LLC's tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in the FTX Debtors' chapter 11 cases, a complete list of the FTX Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the FTX Debtors' claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

**Argument**

1. The FTX Debtors timely filed their opposition to BlockFi’s motion to dismiss this chapter 11 case (the “Motion to Dismiss”) on March 2, 2023. BlockFi waited a full week—until after filing its reply in support of the Motion to Dismiss—to file its Motion to Strike in an ill-conceived attempt to silence the FTX Debtors at the upcoming hearing before this Court on the Motion to Dismiss.<sup>3</sup> As part of this strategy, BlockFi filed the Motion to Shorten so that the Motion to Strike can be heard on less than five days’ notice. The need for such shortened notice was contrived by BlockFi, and the Motion to Shorten should be denied.

2. Although this Court has discretion to shorten the notice and objection periods with respect to a motion, Rule 9006-1(e) of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware requires BlockFi, as the moving party, to specify “*the exigencies justifying shortened notice.*” Del. Bankr. L.R. 9006-1(e) (emphasis added). Nothing in the Motion to Shorten explains why BlockFi waited until after it filed its reply brief in support of the Motion to Dismiss to file the Motion to Strike, or what exigencies justify shortening the notice by nine days. There are none. BlockFi has created the situation in which it finds itself. Consequently, the Motion to Shorten should be denied.

**[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]**

---

<sup>3</sup> The FTX Debtors will separately address the Motion to Strike, and reserve all rights.

Dated: March 10, 2023  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Kimberly A. Brown

Adam G. Landis (No. 3407)  
Kimberly A. Brown (No. 5138)  
Matthew R. Pierce (No. 5946)  
919 Market Street, Suite 1800  
Wilmington, Delaware 19801  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450  
E-mail: landis@lrclaw.com  
brown@lrclaw.com  
pierce@lrclaw.com

-and-

**SULLIVAN & CROMWELL LLP**

Andrew G. Dietderich (admitted *pro hac vice*)  
James L. Bromley (admitted *pro hac vice*)  
Brian D. Glueckstein (admitted *pro hac vice*)  
Matthew J. Porpora (admitted *pro hac vice*)  
Alexa J. Kranzley (admitted *pro hac vice*)  
125 Broad Street  
New York, NY 10004  
Telephone: (212) 558-4000  
Facsimile: (212) 558-3588  
E-mail: dietdericha@sullcrom.com  
bromleyj@sullcrom.com  
gluecksteinb@sullcrom.com  
porporam@sullcrom.com  
kranzleya@sullcrom.com

*Counsel for the FTX Debtors*